

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

JOSE HERNANDEZ,

Plaintiff,

VS.

RESULTS STAFFING, INC.,

Defendant.

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NO. 4:14-CV-182-A

MEMORANDUM OPINION
and
ORDER

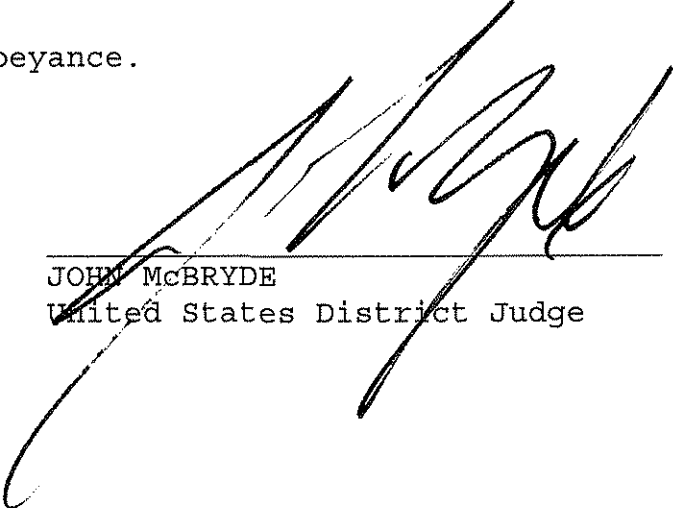
Now before the court for consideration is the motion for summary judgment filed in the above action by defendant, Results Staffing, Inc. Plaintiff, Jose Hernandez, filed a response, to which defendant replied. On April 2, 2015, this court granted defendant's motion as to plaintiff's claim for failure to accommodate his disability, and held in abeyance the motion for summary judgment as to all other claims.

Having now considered all of the parties' filings, the entire summary judgment record, discussions with counsel during the pretrial conference, and the applicable legal authorities, the court is unwilling at this time to conclude that plaintiff's evidence is insufficient to create a fact issue as to his burden, or to conclude that defendant has met their burden as to their affirmative defense as a matter of law.

Therefore,

The court ORDERS that defendant's motion for summary judgment be, and is hereby, denied as to the portion^s of the motion previously held in abeyance.

SIGNED April 6, 2015.



JOHN McBRYDE
United States District Judge